

REMARKS/ARGUMENTS

Reconsideration of this application is requested. Claims 1, 2, 5-7,9-14 and 26-30 are pending in the application.

This application was the subject of an interview with Examiners Cecilia Tsang, Christina Marchetti Bradley, the inventor, Dr. New, and the undersigned on May 17, 2007.

The claims have been amended to follow the discussions during the interview and as summarized in the Interview Summary of that date.

Throughout the claims the terms "macromolecule" and "active macromolecular principle" have been replaced with "polypeptide or protein" in accordance with what was agreed at the interview. Claims 8 and 18 have been deleted as a consequence. It is counsel's understanding this and related amendments will resolve the written description/claim clarity issues in items 5 - 21 of the Action.

The independent claims 1 and 26 are amended to recite a pH range of 3-7. As a consequence, claim 3 has been deleted. Also, new dependent claims 27-30 have been added, which specify the narrower ranges that were also disclosed in the specification as filed. Explicit basis for all of the different pH ranges may be found at page 10, lines 6-11 of the specification.

The independent claims 1 and 26 also specify an enteric coating. The coating must be present in order for the pH range at which it becomes permeable to be properly defined.

The other changes to the claims are as follows:

The independent claims 1 and 26 have been amended to specify that the mixture comprises at least 1% by weight of the additive (component (c)). Claim 4 has been deleted as a consequence. The change to claim 1 was already put forward to the examiner as part of the draft response filed (informally) before the interview. The corresponding change to claim 26 was inadvertently not indicated in the amended pages given informally to the examiner. Claim 26 has now been amended accordingly.

Claims 15 and 25 have been deleted to reduce issues because they are non-statutory.

As a new voluntary amendment, the peptides GLP1 and GCSF have been added to those specifically mentioned in claims 9 and 19. Basis for these may be found at page 4, lines 2 and 3.

Formalistic changes to claims 5, 12 and 23 have been made. There were already indicated in the earlier draft response.

Roger R. C. NEW
Appl. No. 11/553,169
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Responsive to the provisional obviousness-type double patenting rejection stated in items 30-31, submitted herewith is a Terminal Disclaimer over co-pending application Serial No. 10/553,324. Similar action has been taken in Serial No. 10/553,324.

It is counsel's understanding that these amended claims are consistent with the discussions of May 17, 2007 and will place all of the claims remaining in this application in condition for allowance. If this is not the case or minor adjustments are required, please contact the undersigned by telephone.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 

Arthur R. Crawford
Reg. No. 25,327

ARC:eaw
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100